

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Susumu MUTO et al.

Group Art Unit : 1611

Appl. No. : 10/516,292

Examiner : S. LANDAU

I. A. Filed : June 5, 2003

Confirmation No. : 5595

For : MEDICAMENT FOR TREATMENT OF CANCER

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and further to the Information Disclosure Statements filed February 24, 2006; March 7, 2006; July 28, 2006; January 6, 2009; and May 11, 2009, Applicants hereby direct the Examiner's attention to the following documents cited in the extended European Search Report for European Application EP 07 01 5427:

- (1) US 6 117 859;
- (2) EP 0 221 211;
- (3) Takehisa et al., JP 37 000225 - Abstract;
- (4) WO 99/55663;
- (5) WO 99/65449;
- (6) GB 1 079 177, published August 16, 1967;

- (7) Database Crossfire Beilstein XP002536489 (Abstract), Database Accession Nos. 2818733 and 2819714, 1964;
- (8) Database Crossfire Beilstein XP002536490 (Abstract), Database Accession No. 2698830, 1965;
- (9) Database Crossfire Beilstein XP002536491 (Abstract), Database Accession No. 3372658, 1959;
- (10) WO 99/24404;
- (11) DE 1 017 606, published October 17, 1957, along with an English language translation thereof;
- (12) EP 0 081 782;
- (13) JP 62 099329;
- (14) MADAN et al., *Molecular Pharmacology* Vol. 58, No. 3., pp. 526-534, 2000;
- (15) EP 0 221 346; and
- (16) WO 00/35442.

Furthermore, Applicants direct the Examiner's attention to the following U.S. patent application publications and the complete file histories associated with their corresponding U.S. patent applications, which patent applications are commonly assigned and co-pending:

- (17) US 2004/0259877 A1 (MUTO et al.), published December 23, 2004;
- (18) US 2007/0185110 A1 (MUTO et al.), published August 9, 2007;
- (19) US 2008/0249071 A1 (MUTO et al.), published October 9, 2008;
- (20) US 2008/0318956 A1 (MUTO et al.), published December 25, 2008;
- (21) US 2008/0090779 A1 (MUTO et al.), published April 17, 2008;

- (22) US 2007/0042997 A1 (ITAI et al.), published February 22, 2007; and
- (23) US 2008/0311074 A1 (MUTO et al.), published December 18, 2008.

Copies of the above-listed documents (6) – (9) and (11), as well as the extended European Search Report for European Application EP 07 01 5427 are enclosed together with a completed copy of the Form PTO-1449 listing these documents. Copies of the other documents listed above have either already been provided or are US patent application publications for which copies are not necessary. Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the Form PTO-1449 with the next communication.

Applicants note that a non-final Office Action has issued in the instant application. Therefore, to ensure consideration of the enclosed materials pursuant to 37 C.F.R. § 1.97(c), Applicants submit herewith the requisite fee under 37 C.F.R. 1.17(p). If for any reason the requisite fee is not enclosed herewith or any additional fee is required, the undersigned authorizes the Office to charge Deposit Account 19-0089 any fee necessary to ensure the consideration of the submitted materials.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Susumu MUTO et al.



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October 26, 2009
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